

Message

From: Zein, Maher [Maher.Zein@arcadis.com]
Sent: 10/16/2018 4:58:18 PM
To: m_halona@frontiernet.net
CC: Calanog, Steve [Calanog.Steve@epa.gov]; Vivian Craig [viviancraig@navajo-nsn.gov]; Tom, Priscilla [Tom.Priscilla@epa.gov]; Makerov, Mike [mike.makerov@bnsf.com]; Nichalson, Brandon [Brandon.Nichalson@arcadis.com]
Subject: Haystack AUM Section 13 Access for Time Critical Removal Action Implementation
Attachments: Vivian Craig haystack.docx

Dear Mr. Halona,

I am following up to the messages we left regarding access to the southeast quarter of Section 13, Township 13 North, Range 11 West of the Haystack Mines Site, located in the Baca/Prewitt Chapter of the Navajo Nation, McKinley County, New Mexico to perform proposed Time Critical Removal Action (TCRA) activities. The proposed TCRA activities will be implemented pursuant to the Administrative Settlement Agreement and Order on Consent for Removal Action (AOC; Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA] Docket No. 09-2017-02 and Docket No. 06-02-17) executed between the United States Environmental Protection Agency (USEPA) and BNSF (effective as of May 15, 2017).

The Bureau of Indian Affairs (BIA) has granted BNSF access to this area of the site for TCRA implementation in a letter dated July 23, 2018. However, Mr. Steven Chischilly with the Navajo Land Department indicated in an email dated July 18, 2018 that this portion of the site is a Navajo Trust Land (please see attached an aerial map that Mr. Chischilly provided). Accordingly, we are reaching out to you to inquire if the Navajo Nation has any access requirements (and if yes, what are these requirements?) before we mobilize to the site to perform the required field activities (mostly excavation and soil removal).

Please let me know if you have any questions or would like additional information.

Thank you in advance for your time and assistance,

Maher

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